

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

ELLENSBURG CEMENT  
PRODUCTS, INC.,

Plaintiff,

v.

LANDEL CORP., a Washington  
corporation,

Defendant.

NO. CV-04-3126-RHW

**ORDER DISMISSING CASE,  
WITHOUT PREJUDICE**

A telephonic status hearing was held on December 19, 2005. Plaintiff was represented by Jeffrey Slothower. Defendant was represented by John Riper. At the hearing, the parties orally moved the Court to dismiss the above-captioned case, without prejudice.

Accordingly, **IT IS HEREBY ORDERED:**

1. The parties oral motion to dismiss the above-captioned case, without prejudice, is **GRANTED**.

2. The above-captioned case is **DISMISSED**, without prejudice.

**IT IS SO ORDERED.** The District Court Executive is hereby directed to enter this order and to furnish copies to counsel and close the file.

**DATED** this 21<sup>st</sup> day of December, 2005.

s/Robert H. Whaley

ROBERT H. WHALEY  
Chief United States District Judge